



EMPLOYEE RIGHTS ATTORNEYS

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December 19, 2018

**VIA ECF**

The Honorable Joseph F. Bianco  
United States District Judge  
100 Federal Plaza, Courtroom 1040  
Central Islip, NY 11722

Re: *Alvites Centeno, et al., v. DBD Contracting LLC, et al.*  
Case No. 2:17-cv-07121 (JFB)(GRB)

Dear Judge Bianco:

Pursuant to Order dated November 27, 2018, enclosed please find our time and expense entries in connection with the above-referenced matter.

Respectfully submitted,

*s/Matthew L. Berman*  
Matthew L. Berman

Cc: Hon. Gary R. Brown, U.S.M.J., via ECF  
All counsel of record, via ECF

## Valli Kane &amp; Vagnini LLP

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## INVOICE

Issue Date	12/11/2018
Matter	DBD Contracting

## Bill To:

Avila, Fabricio  
704 Seneca aVE.  
Ridgewood, New York  
United States 11385

## Time Entries

Time Entry	Billed By	Rate	Hours	Sub
Email 1/2/2018 [DBD Contracting] Emails with J. Klimpl and M. Greenfield re: service of process waiver kits and review of same.	Matthew L. Berman	\$450.00	0.50	\$225.00
Research 2/2/2018 [DBD Contracting] NYLL 191 and 193 for unlawful deductions and frequency of pay for plaintiffs OTC work and missed wages	Alexander M White	\$250.00	0.33	\$82.50
Telephone call 2/14/2018 [DBD Contracting] Telephone call with J. Klimpl re: walkthrough of defendants' payroll records and summary spreadsheets containing analyses of unpaid overtime.	Matthew L. Berman	\$450.00	0.80	\$360.00
Communicate (in firm) 2/14/2018 [DBD Contracting] Confer with A. Figueas re: strategy for meeting with DBD plaintiffs to review payroll records provided by defendants.	Matthew L. Berman	\$450.00	0.30	\$135.00
Telephone call 4/30/2018 [DBD Contracting] t/c w/Jorge Morante (clt) re: status update	Luz Arce	\$150.00	0.17	\$25.50
Meeting 5/20/2018 [DBD Contracting] met w/clts to review evidence of their hours worked.	Luz Arce	\$150.00	2.25	\$337.50

Time Entry	Billed By	Rate	Hours	Sub
Time 5/20/2018 [DBD Contracting] Meeting with L. Arce and clients Jose Alvites Centeno, Carlos Mizhguiri, Walter Suarez, and Jose (Jesus) Soria to review clients' paystubs and defendant's payroll information, summary charts & related calculations, and week-by-week payroll detail.	Matthew L. Berman	\$450.00	3.50	\$1,575.00
Email 5/21/2018 [DBD Contracting] Email to J. Klimpl to provide supplemental information relating to our meet and confer, after conferring with clients.	Matthew L. Berman	\$450.00	0.30	\$135.00
Other 5/21/2018 [DBD Contracting] t/c w/Jesus Soria (clt) re: status	Luz Arce	\$150.00	0.08	\$12.00
Other 5/21/2018 [DBD Contracting] t/c w/Carlos Soria (clt) re: status	Luz Arce	\$150.00	0.05	\$7.50
Other 5/21/2018 [DBD Contracting] t/c w/Michael Soria (clt) re: status.	Luz Arce	\$150.00	0.05	\$7.50
Communicate (other outside counsel) 6/11/2018 [DBD Contracting] Emails with opposing counsel re: selection of a mediator, and related e-mails with Mediator Robin Gise.	Matthew L. Berman	\$450.00	0.50	\$225.00
Draft/revise 6/11/2018 [DBD Contracting] Draft/revise plaintiffs' initial disclosures.	Matthew L. Berman	\$450.00	1.00	\$450.00
Communicate (other outside counsel) 6/12/2018 [DBD Contracting] Emails with Robin Gise and J. Klimpl re: mediation dates; communicate with L. Arce re: obtaining clients' availability to attend mediation on specified dates.	Matthew L. Berman	\$450.00	0.30	\$135.00
Communicate (with client) 6/12/2018 [DBD Contracting] Called all 11 clients and provided status update.	Luz Arce	\$150.00	0.50	\$75.00
Draft/revise 6/14/2018 [DBD Contracting] Draft Plaintiffs' initial disclosures (.5); confer with L. Arce re: dates of availability of each plaintiff for mediation sessions (.2); confer with L. Arce re: document production of plaintiffs' paystubs and job tickets and bates-stamping of same (.2)	Matthew L. Berman	\$450.00	0.90	\$405.00

Time Entry	Billed By	Rate	Hours	Sub
Communicate (with client) 6/19/2018 [DBD Contracting] t/calls w/clts re: status	Luz Arce	\$150.00	0.08	\$12.00
Communicate (in firm) 6/19/2018 [DBD Contracting] Communications with L. Arce re: updating clients on date/time of upcoming mediation.	Matthew L. Berman	\$450.00	0.20	\$90.00
Communicate (other outside counsel) 6/19/2018 [DBD Contracting] Communications with outside counsel confirming date and time of upcoming mediation and re: selection of mediator (.2), review status update to court re: same (.1)	Matthew L. Berman	\$450.00	0.30	\$135.00
Worked on 6/21/2018 [DBD Contracting] translation of Power of Attorney from English to Spanish;	Luz Arce	\$150.00	4.00	\$600.00
Communicate (other external) 7/30/2018 [DBD Contracting] T/c with R. Gise and J. Klimpl re: mediation.	Matthew L. Berman	\$450.00	0.50	\$225.00
Communicate (with client) 8/2/2018 [DBD Contracting] Called all the clts to remind them of the Mediation appt. on 8/8 at 10 am.	Luz Arce	\$150.00	0.16	\$24.00
Preparation 8/2/2018 [DBD Contracting] Preparation of Settlement spreadsheet for mediation. Discuss with MB	Robert J Valli Jr	\$550.00	1.00	\$550.00
Plan and prepare for 8/3/2018 [DBD Contracting] Plan and prepare for mediation session, including preparation of mediation statement and damages analyses for all named plaintiffs.	Matthew L. Berman	\$450.00	4.50	\$2,025.00
Communicate (with client) 8/6/2018 [DBD Contracting] t/c w/clts to explain settlement damages	Luz Arce	\$150.00	0.58	\$87.00
Communicate (with client) 8/6/2018 [DBD Contracting] t/c w/Vasquez (clt) re: settlement amount	Luz Arce	\$150.00	0.16	\$24.00
Communicate (with client) 8/7/2018 [DBD Contracting] t/c w/Alvites (clt) re: settlement amount	Luz Arce	\$150.00	0.25	\$37.50

Time Entry	Billed By	Rate	Hours	Sub
Telephone call 8/7/2018 [DBD Contracting] Telephone call with Mediator and MB to discuss tomorrows mediation and numbers.	Robert J Valli Jr	\$550.00	0.30	\$165.00
Preparation 8/7/2018 [DBD Contracting] Preparation and planning for mediation session.	Matthew L. Berman	\$450.00	8.00	\$3,600.00
Communicate (other external) 8/7/2018 [DBD Contracting] Telephone call with mediator R. Gise re: mediation session.	Matthew L. Berman	\$450.00	1.00	\$450.00
Communicate (with client) 8/7/2018 [DBD Contracting] Telephone calls with each of the individual plaintiffs concerning their damages calculations and settlement authority.	Matthew L. Berman	\$450.00	2.00	\$900.00
Preparation 8/7/2018 [DBD Contracting] Preparation for mediation session. Review complaint, payroll data and damages spreadsheet	Robert J Valli Jr	\$550.00	1.50	\$825.00
Discussion 8/8/2018 [DBD Contracting] Discuss DBD mediation with MH and JV	Alexander M White	\$250.00	0.16	\$40.00
Appear for/attend 8/8/2018 [DBD Contracting] Attend mediation in midtown, Manhattan.	Matthew L. Berman	\$450.00	9.50	\$4,275.00
Mediation 8/8/2018 [DBD Contracting] Mediation in Defense counsels office, with clients, interpreter, MB, other side and Robin Gise.	Robert J Valli Jr	\$550.00	10.00	\$5,500.00
Appear for/attend 8/8/2018 [DBD Contracting] Mediation in NYC. Translated to Spanish for the clts. Translated to English (clts' questions and concerns) to attys and mediator	Luz Arce	\$150.00	7.50	\$1,125.00
Travel 8/8/2018 [DBD Contracting] Travel from Queens to NYC; NYC to Queens for Mediation	Luz Arce	\$150.00	2.00	\$300.00
Discussion 8/9/2018 [DBD Contracting] Discuss mediation and settlement with MB	Alexander M White	\$250.00	0.33	\$82.50

Time Entry	Billed By	Rate	Hours	Sub
Communicate (other external) 8/13/2018 [DBD Contracting] Email with J. Klimpl re: letter to court informing it of settlement results.	Matthew L. Berman	\$450.00	0.10	\$45.00
Meeting 10/29/2018 [DBD Contracting] VKV meeting to discuss status of the case.	Alexander M White	\$250.00	0.17	\$42.50
Draft/revise 10/31/2018 [DBD Contracting] Draft/Revise Proposed Settlement Agreement and Fairness Statement Letter to Judge Bianco.	Matthew L. Berman	\$450.00	10.00	\$4,500.00
Draft/revise 11/1/2018 [DBD Contracting] Draft/Revise Proposed Settlement Agreement and Fairness Statement Letter to Judge Bianco.	Matthew L. Berman	\$450.00	3.50	\$1,575.00
Communicate (with client) 11/1/2018 [DBD Contracting] Called each client to explain we had the Settlement Agmt prepared and needed them to sign same.	Luz Arce	\$150.00	0.50	\$75.00
Communicate (with client) 11/7/2018 [DBD Contracting] called all of the clts re: signing of agmt and sending back to us.	Luz Arce	\$150.00	0.25	\$37.50
Draft/revise 11/20/2018 [DBD Contracting] Draft/revise fairness letter to court re: settlement.	Matthew L. Berman	\$450.00	2.00	\$900.00
Draft/revise 11/20/2018 [DBD Contracting] Draft/revise fairness letter to Judge Bianco.	Matthew L. Berman	\$450.00	1.50	\$675.00
Draft/revise 11/26/2018 [DBD Contracting] Draft/revise/finalize letter to Judge Bianco re: fairness of FLSA settlement and accompanying documentation.	Matthew L. Berman	\$450.00	1.50	\$675.00
Communicate (with client) 12/3/2018 [DBD Contracting] t/c w/J. Soria (client) re: status	Luz Arce	\$150.00	0.03	\$4.50
Review/analyze 12/10/2018 [DBD Contracting] Review time and expenses in connection with submission of fairness statement to Court for settlement approval.	Matthew L. Berman	\$450.00	1.00	\$450.00

Time Entry	Billed By	Rate	Hours	Sub
		<b>Time Entries</b>	<b>86.10</b>	<b>\$34,244.00</b>
		<b>Total:</b>		

## Expenses

Expense	Billed By	Price	Qty	Sub
Courtfees 12/6/2017 [DBD Contracting] Filing Fee	Mary Anne Greenfield	\$400.00	1.00	\$400.00
Arbitrators/mediators 7/9/2018 [DBD Contracting] Mediation Fees	Mary Anne Greenfield	\$300.00	1.00	\$300.00
Parking 8/8/2018 [DBD Contracting]	Robert J Valli Jr	\$10.50	1.00	\$10.50
Meals 8/8/2018 [DBD Contracting] Lunch	Robert J Valli Jr	\$124.87	1.00	\$124.87
Parking 8/9/2018 [DBD Contracting] Parking - LIC	Robert J Valli Jr	\$10.50	1.00	\$10.50
Travel 8/9/2018 [DBD Contracting] Subway to and from Mediation.	Robert J Valli Jr	\$5.00	1.00	\$5.00
Mileage 8/9/2018 [DBD Contracting] Mileage to and from for mediation. (26 miles total)	Robert J Valli Jr	\$13.65	1.00	\$13.65
Arbitrators/mediators 8/14/2018 [DBD Contracting] Additional mediation session	Mary Anne Greenfield	\$625.00	1.00	\$625.00
		<b>Expenses</b>	<b>8.00</b>	<b>\$1,489.52</b>
		<b>Total:</b>		

Total (USD) \$35,733.52

Paid \$0.00

Balance \$35,733.52

Total Outstanding \$35,733.52

Terms & Conditions

Available Credit: 0.00



*Valli Kane & Vagnini*  
 600 Old Country Road - Suite 519  
 Garden City, NY 11530  
 516-203-7180

December 10, 2018

See Notes Section for Names and Addresses of Clients

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In Reference To: v DBD Contracting

## Professional Services

			<u>Hrs/Rate</u>	<u>Amount</u>
1/23/2017	MB	Review new client intake for Carlos Mihquirri.	0.50 \$450.00/hr	225.00
	MB	Review new client intake for Fabricio Avila.	0.50 \$450.00/hr	225.00
2/8/2017	MB	Review new client intake for Carlos Soria.	0.63 \$450.00/hr	285.00
	MB	Review new client intake for Heraldo Hernandez.	0.63 \$450.00/hr	285.00
	MB	Review new client intake for J. Soria.	0.63 \$450.00/hr	285.00
2/14/2017	MB	Client meeting with A. Figueras and Soria family.	1.00 \$450.00/hr	450.00
2/16/2017	MB	Teleconference with A.F. and clients re: commencing case against DBD.	1.00 \$450.00/hr	450.00
	MB	Conference with A.F. and clients re: commencing case against DBD.	1.50 \$450.00/hr	675.00
3/10/2017	MB	Review new client intake re. J. Alvites.	0.30 \$450.00/hr	135.00
	MB	Draft/revise initial letter to defendants.	1.50 \$450.00/hr	675.00

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Page 2

			<u>Hrs/Rate</u>	<u>Amount</u>
4/3/2017	MB	Review/revise initial demand letter.	2.50 \$450.00/hr	1,125.00
	RJV	Review and edit initial demand letter.	0.50 \$550.00/hr	275.00
4/4/2017	MB	Review/revise initial letter to DBD re: settlement demand per RV edits/comments	2.00 \$450.00/hr	900.00
4/6/2017	MB	Email case status update to J. Vagnini, S. Kane and R. Valli.	0.20 \$450.00/hr	90.00
4/10/2017	MB	Email case status J. Klimpl re: settlement negotiation.	0.20 \$450.00/hr	90.00
	MB	Teleconfernce with J. Klimpl re: settlement negotiations.	1.00 \$450.00/hr	450.00
4/18/2017	MB	Email A. Figueras re: clients experiencing retaliation issues.	0.20 \$450.00/hr	90.00
4/21/2017	MB	Email A. Figueras re: preventing retaliation and termination issues for clients.	0.40 \$450.00/hr	180.00
4/27/2017	MB	Email A. Figueras re: current status of workplace environment.	0.30 \$450.00/hr	135.00
4/28/2017	MB	Email C. Fenton re: client payroll records.	0.30 \$450.00/hr	135.00
5/10/2017	MB	Review "cease and desist" letter received from defendants.	0.50 \$450.00/hr	225.00
5/11/2017	MB	Discussion with Rob V regarding "cease and desist" letter.	0.25 \$450.00/hr	112.50
	RJV	Discussion with MB re: retaliation cease and desist ltr by emer.	0.25 \$550.00/hr	137.50
5/12/2017	MB	Teleconferenced with A. Figueras and clients re: cease and desist letter received from defendants.	0.40 \$450.00/hr	180.00
	MB	Emails with A. Figueras re: plaintiff Morante work and termination issues.	0.20 \$450.00/hr	90.00
	MB	Teleconferences with clients re: their duty of loyalty to employer.	2.00 \$450.00/hr	900.00
5/15/2017	MB	Emails with A. Figeras re: H. Hernandez working hours.	0.30 \$450.00/hr	135.00

See Notes Section for Names and Addresses of Clients

Page 3

			<u>Hrs/Rate</u>	<u>Amount</u>
5/16/2017	MB	Emails with A. Figeras re: J. Avila termination issue.	0.20 \$450.00/hr	90.00
5/22/2017	MB	Emails with J. Klimpl re: defendants' time records and review of same.	0.60 \$450.00/hr	270.00
	MB	Emails with J. Klimpf re: hours worked and related review of defendants' time card documentation.	1.50 \$450.00/hr	675.00
5/23/2017	MB	Emails with J. Klimpl re: plaintiffs dispute concerning the accuracy of defendants' time records.	0.40 \$450.00/hr	180.00
5/24/2017	MB	Emails with J. Klimpl re: additional documentation of time worked vs time paid.	0.10 \$450.00/hr	45.00
6/9/2017	MB	Emails with A. Figueras re: plaintiff Fabricio's withdrawal of claims..	0.20 \$450.00/hr	90.00
6/13/2017	MB	Emails with A. Figueras re: client weekly timesheets..	0.30 \$450.00/hr	135.00
6/28/2017	MB	Emails with A. Figueras re: clients' "work ticket" documentation.	0.20 \$450.00/hr	90.00
7/11/2017	MB	Teleconference with A. Figueras and clients re: payroll data	0.50 \$450.00/hr	225.00
7/18/2017	MB	Emails with A. Figueras re: client status updates.	0.30 \$450.00/hr	135.00
7/21/2017	MB	Teleconference with J. Klimpl re: settlement negotiations.	0.10 \$450.00/hr	45.00
7/24/2017	MB	Teleconfernce with J. Klimpl re: settlement negotiations.	0.30 \$450.00/hr	135.00
7/25/2017	MB	Teleconference with A. Figueras and clients re: settlement negotiations.	1.00 \$450.00/hr	450.00
	MB	Teleconference with A. Figueras and clients re: settlement negotiations.	1.00 \$450.00/hr	450.00
8/2/2017	MB	Emails with A. Figeuras re: Morante issues and update re: settlement discussions.	0.50 \$450.00/hr	225.00
8/8/2017	MB	Emails with A. Figeuras and C. Soria re: settlement discussions.	0.20 \$450.00/hr	90.00
8/12/2017	MB	Emails with A. Figeuras re: information needed to make individual client settlement demands (.2) and t/c with A. Figueras and R. Soria re: same (.8).	1.00 \$450.00/hr	450.00

See Notes Section for Names and Addresses of Clients

Page 4

			<u>Hrs/Rate</u>	<u>Amount</u>
11/1/2017	AW	Telephone call with client CM for facts about the case to draft complaint	0.33 \$200.00/hr	66.67
11/3/2017	AW	Draft complaint 11/3	0.67 \$200.00/hr	133.33
11/6/2017	AW	Draft complaint	6.17 \$200.00/hr	1,233.33
	AW	Telephone call with client to discuss facts to draft complaint	0.17 \$200.00/hr	33.33
11/7/2017	RJV	Review draft complaint, edit and discuss with Alex W.	0.75 \$550.00/hr	412.50
	AW	Draft Complaint - discuss edits with Rob.	1.33 \$200.00/hr	266.67
11/8/2017	AW	Draft complaint	2.67 \$200.00/hr	533.33
	AW	Telephone call with two Ps to get info about retaliation	0.50 \$200.00/hr	100.00
	AW	Review complaint	0.67 \$200.00/hr	133.33
11/9/2017	AW	Edit complaint	2.50 \$200.00/hr	500.00
11/10/2017	AW	Revised complaint	3.17 \$200.00/hr	633.33
11/13/2017	AW	Revised complaint	2.00 \$200.00/hr	400.00
11/14/2017	AW	Edit complaint	1.17 \$200.00/hr	233.33
11/30/2017	AW	Edit complaint	1.00 \$200.00/hr	200.00
12/4/2017	AW	Edit complaint	0.33 \$200.00/hr	66.67
12/5/2017	AW	Edit complaint	1.67 \$200.00/hr	333.33
	AW	Meeting MB regarding filing/edits to complaint	0.33 \$200.00/hr	66.67

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Page 5

			<u>Hrs/Rate</u>	<u>Amount</u>
12/5/2017	RB	Review and edit draft complaint	1.50 \$450.00/hr	675.00
12/6/2017	CF	Prepare civil cover sheet and file complaint.	0.50 \$150.00/hr	75.00
		For Professional Services Rendered	55.52	\$18,815.82
		Additional Charges :		
11/27/2017		Research - West Law		20.70
12/6/2017		Filing Fee		400.00
		Total additional charges		\$420.70
		Total amount of this bill		\$19,236.52
		Balance due		\$19,236.52